## **EXHIBIT E**



BLEAKLEY PLATT & SCHMIDT, LLP

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July 21, 2008

## VIA FACSIMILE 212-763-6810 AND FIRST CLASS MAIL

Christopher A. D'Angelo, Esq. Vandenberg & Feliu, LLP 110 East 42nd Street New York, NY 10017

Re:

Buckley v. Philips Electronics North America Corp., Philips Semiconductors Manufacturing, Inc., et al. USDC:SDNY Case No. 07 Civ. 6775 (SCR)(GAY)

Dear Chris:

As we had recently discussed, I have further reviewed the issue of whether you "ought to be called as a witness" in the above-cited litigation and accordingly should withdraw as Plaintiff's counsel pursuant to the mandate of Disciplinary Rule 5-102(A) of the Code of Professional Responsibility ("DR 5-102(A)"). In this regard, I have reviewed your December 10, 2004 letter to James N. Casey, then-General Counsel of Philips Semiconductors, Inc., concerning the terms of the then-proposed Settlement and General Release Agreement, dated December 8, 2004 ("Agreement") and your alleged age discrimination issues concerning your client's then-pending employment termination.

I have also reviewed subsequent correspondence, dated December 22, 2004, that you had received from John K. Skrypak, Vice President Employment & Labor Law, Philips Electronics North America Corporation ("PENAC"), together with certain materials requested in your December 10<sup>th</sup> letter, concerning the terms of the Agreement and your client's dismissal. I also understand that you had at least two lengthy telephone conversations in December 2004 with Mr. Skrypak with respect to your client concerning your alleged issues with your client's dismissal and your attempts to renegotiate certain provisions of the Agreement.

As the validity of the Agreement is an essential issue to the resolution of this litigation, it is clear that you "ought to be called as a witness" to provide testimony towards the resolution of this issue and should therefore withdraw as Plaintiff's counsel pursuant to the mandate of DR 5-102(A). As your client has represented himself for approximately seven months in this litigation prior to your July 1, 2008 appearance, we do not believe that your requested withdrawal will cause a "hardship" to your client and we will therefore file a motion seeking your firm's disqualification, if necessary. I intend to notify the Court by Monday, July 28, 2008, of our intent to file a disqualification motion as well as the motion to dismiss the ERISA Section 510 claims alleged in

Christopher A. D'Angelo, Esq. July 21, 2008 Page 2

the Amended Complaint against Philips Electronics North America Defined Benefit Pension Plan, unless we voluntarily resolve these matters before that time.

Please contact me at your earliest convenience to discuss the same.

Very truly yours,

Bleakley Platt & Schmidt, LLP

**NXP** Semiconductors ec:

> Philips Electronics North America Defined Benefit Pension Plan

\* \* \* COMMUNICATION RESULT REPORT ( JUL. 21. 2008 12:54PM ) \* \* \*

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## BLEAKLEY PLATT & SCHMIDT, LLP

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Date: <u>July 21, 2008</u> File: <u>10321-00003</u>
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ADDRESSED TO:	TELEPHONE NO.	FACSIMILE NO.
Christopher A. D'Angelo, Esq.	•	212-763-6810
FROM: <u>Joseph DeGiuseppe, Jr., Esq.</u>		
RE: <u>Buckley v. Philips Electronic Nor</u>	th America – 07 Civ. <u>6775</u>	(SCR)
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